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|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 09/758,299 | POLLOCK ET AL. | |
| | Examiner | Art Unit | |
| | Jason Prone | 3724 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the R.C.E. filed 04 August 2006.
2. ☒ The allowed claim(s) is/are 1,5,7-11 and 22-27.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Kerry Sisselman on 25 October 2006.

The application has been amended as follows:

- On page 7 line 19 of the specification, the phrase "order to cut the ribbon 1 in a straight line, the" has been replaced with --order to cut the ribbon 1 in a straight line that is substantially perpendicular to the traveling direction of the ribbon 1, the--.
- On line 27 of claim 1, the phrase "the ribbon having a smooth, straight edge extending" has been replaced with --the ribbon, said signature cut having a smooth, straight edge extending--.
- On line 33 (last line) of claim 1, the phrase "to adjust the cutting lengths of the ribbons." Has been replaced with --to adjust the cutting lengths of the ribbons to produce said substantially perpendicular signature cut.--.
- On line 28 of claim 10, the phrase "signature cut from the ribbon having a smooth, straight edge" has been replaced with --signature cut from the ribbon, said signature cut having a smooth, straight edge--.

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- On line 34 (last line) of claim 10, the phrase "to adjust the cutting lengths of the ribbons." has been replaced with --to adjust the cutting lengths of the ribbons to produce said substantially perpendicular signature cut.--.
- On lines 4-8 of claim 11, the phrase (including the comma before the phrase) ", said first drive and said second drive rotating said cylinders such that a component of travel of a point of contact between said cylinders in a direction of travel of the ribbon matches a speed of the ribbon for cutting the ribbon in a straight line" has been deleted.

Allowable Subject Matter

2. Claims 1, 5, 7-11, and 22-27 are allowed.
3. The following is an examiner's statement of reasons for allowance: Claims 1, 5, 7-11, and 22-27 are allowable because of the apparatus/method with a control unit that controls the rotational speed of the cylinders such that a component of travel of a point of contact between the pair of cylinders matches a speed of the ribbon for cutting perpendicular cuts and that contemporaneously changes the rotational speed and angular orientation of the cylinders set forth in the claims. In regards to the combination of Fr. 470,543 in view of Spengler, they teach a helical cutter that can pivot but fail to disclose the capabilities of moving the point of contact between the cylinders at a speed equal to the ribbon speed. Fr. 470,543 clearly discloses a cylinder pair that rotates slower than the ribbon, hence the oblique cutting lines. The combination also fails to disclose contemporaneously changing the angle and rotational speed to alter the length of the ribbons and while still creating perpendicular signature cuts. None of the prior art

cited discloses an apparatus/method that incorporates the use of a control unit that controls the rotational speed of the cylinders such that a component of travel of a point of contact between the pair of cylinders matches a speed of the ribbon for cutting perpendicular cuts and that contemporaneously changes the rotational speed and angular orientation of the cylinders to cut pieces of specific lengths with perpendicular cuts. Therefore, in view of what has been stated above, the claims are allowable over the art of record.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

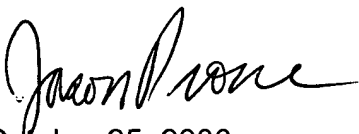
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:00-4:30, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer D. Ashley can be reached on (571) 272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Jason Prone". The signature is fluid and cursive, with the first name "Jason" and last name "Prone" clearly distinguishable.

October 25, 2006

Patent Examiner
Jason Prone
Art Unit 3724
T.C. 3700